

#6

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

Flk-1 IS A RECEPTOR FOR VASCULAR ENDOTHELIAL GROWTH FACTOR

the specification of which:

☐ is attached hereto
☒ was filed in the United States on November 13, 1992 as Application Serial No. 07/975,750 (for declaration not accompanying application) with amendment(s) filed on _____ (if applicable)

☐ was filed as PCT international application Serial No. _____ on _____ and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119/§172 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119/172
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753) and Jon R. Stark (Reg. No. 30111), whose address is Pennie & Edmonds, 1155 Avenue of the Americas, New York, New York 10036, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: <u>PENNIE & EDMONDS</u> <u>1155 AVENUE OF THE AMERICAS</u> <u>NEW YORK, N.Y. 10036-2711</u>				DIRECT TELEPHONE CALLS TO: <u>PENNIE & EDMONDS</u> <u>(212) 790-9090</u>	
2 0 1	FULL NAME OF INVENTOR	LAST NAME <u>ULLRICH</u> <i>1-00 stal</i>	FIRST NAME <u>AXEL</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 2	FULL NAME OF INVENTOR	LAST NAME <u>RISAU</u>	FIRST NAME <u>WERNER</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 <u>AXEL ULLRICH</u>	SIGNATURE OF INVENTOR 202 <u>WERNER RISAU</u>	SIGNATURE OF INVENTOR 203
DATE <u>, 1992</u>	DATE <u>, 1992</u>	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

SUPPLEMENTAL DECLARATION
AND POWER OF ATTORNEY

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Flk-1 IS A RECEPTOR FOR VASCULAR ENDOTHELIAL GROWTH FACTOR

the specification of which:

☐ is attached hereto
☒ was filed in the United States on November 13, 1992 as Application Serial No. 07/975,750 (for declaration not accompanying application)
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Article 19 on _____ (if applicable)

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APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119/172
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			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>


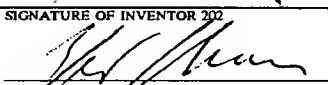

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaanni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753) and Jon R. Stark (Reg. No. 30111), whose address is Pennie & Edmonds, 1155 Avenue of the Americas, New York, New York 10036, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711						DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS (212) 790-9090	
201	FULL NAME OF INVENTOR	LAST NAME Ullrich	FIRST NAME Axel	MIDDLE NAME			
	RESIDENCE & CITIZENSHIP	CITY München	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany			
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Adalbertstr. 108	CITY 8000 München 40	STATE OR COUNTRY Germany	ZIP CODE		
202	FULL NAME OF INVENTOR	LAST NAME Risau	FIRST NAME Werner	MIDDLE NAME			
	RESIDENCE & CITIZENSHIP	CITY Grafelfing	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany			
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Rottenbucherstr. 54	CITY 8032 Grafelfing	STATE OR COUNTRY Germany	ZIP CODE		
203	FULL NAME OF INVENTOR	LAST NAME Millauer	FIRST NAME Birgit	MIDDLE NAME			
	RESIDENCE & CITIZENSHIP	CITY München	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany			
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Bodenstedstr. 64	CITY 8000 München 60	STATE OR COUNTRY Germany	ZIP CODE		
204	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME			
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP			
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE		
205	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME			
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP			
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE		
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME			
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP			
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201  Axel Ullrich	SIGNATURE OF INVENTOR 202  Werner Risau	SIGNATURE OF INVENTOR 203  Birgit Millauer
DATE 18.05.1993	DATE 14.05.1993	DATE 14.05.1993
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

DECLARATION AND POWER OF ATTORNEY

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"Flk-1 IS A RECEPTOR FOR VASCULAR ENDOTHELIAL GROWTH FACTOR"

the specification of which:

☒ is attached hereto
☐ was filed in the United States on _____ as Application Serial No. _____ (for declaration not accompanying application)
 with amendment(s) filed on _____ (if applicable)

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			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
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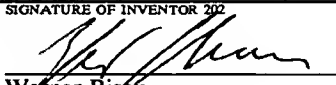
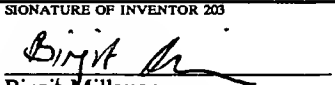
APPLICATION SERIAL NO.	FILING DATE	STATUS		
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26 TOTAL

SEND CORRESPONDENCE TO: <u>PENNIE & EDMONDS</u> <u>1155 AVENUE OF THE AMERICAS</u> <u>NEW YORK, N.Y. 10036-2711</u>				DIRECT TELEPHONE CALLS TO: <u>PENNIE & EDMONDS</u> <u>(212) 790-9090</u>	
2 0 1	FULL NAME OF INVENTOR	LAST NAME <u>Ullrich</u>	FIRST NAME <u>Axel</u> <u>1-00</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>München</u>	STATE OR FOREIGN COUNTRY <u>Germany</u> <u>DEX</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>Adalbertstr. 108</u>	CITY <u>8000 München 40</u>	STATE OR COUNTRY <u>Germany</u>	ZIP CODE
2 0 2	FULL NAME OF INVENTOR	LAST NAME <u>Risau</u>	FIRST NAME <u>Werner</u> <u>2-00</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>Grafelfing</u>	STATE OR FOREIGN COUNTRY <u>Germany</u> <u>DEX</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>Rottenbucherstr. 54</u>	CITY <u>8032 Grafelfing</u>	STATE OR COUNTRY <u>Germany</u>	ZIP CODE
2 0 3	FULL NAME OF INVENTOR	LAST NAME <u>Millauer</u>	FIRST NAME <u>Birgit</u> <u>3-00</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>München</u>	STATE OR FOREIGN COUNTRY <u>Germany</u> <u>DEX</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>Bodenstedstr. 64</u>	CITY <u>8000 München 60</u>	STATE OR COUNTRY <u>Germany</u>	ZIP CODE
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201  Axel Ullrich	SIGNATURE OF INVENTOR 202  Werner Risau	SIGNATURE OF INVENTOR 203  Birgit Millauer
DATE 18.05.1993	DATE 14.05.1993	DATE 14.05.1993
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

File No. 1529 A/1993

I hereby certify that the above is the true signature
acknowledged in my presence, of

Mr. Axel U l l r i c h , born 19.10.1943,
Biochemiker,
of Adalbertstr. 108, 8000 München 40,

identified by his passport.

Munich, the 18th day of May 1993

A handwritten signature in black ink, appearing to be 'H. Kell', written in a cursive style.

Notary

URNr. 1493 A/1993

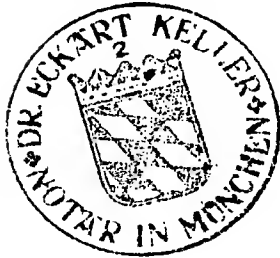
I hereby certify that the above are the true signatures, acknowledged in my presence, of

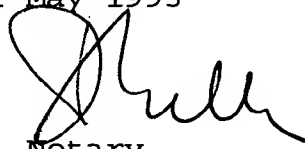
Mr. Dr. Werner R i s a u , born 18.12.1953,
Biochemiker,
of Rottenbucherstr. 54, 8032 Gräfelfing,

Mrs. Birgit M i l l a u e r , born 11.2.1965,
Biologin,
of Bodenstedstr. 64, 8000 Munich 60,

identified by their passports.

Munich, the 14th day of May 1993




Notary

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Ullrich, et al.

Serial No.: 07/975,750

Group Art Unit:

Filed: November 13, 1992

Examiner:

For: Flk-1 IS A RECEPTOR FOR
VASCULAR ENDOTHELIAL
GROWTH FACTOR

Attorney Docket No.: 7683-009

VERIFICATION UNDER 37 C.F.R. §1.48(a)

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Axel Ullrich and Werner Risau declare and state as follows:

1. That we have reviewed and understand the contents of the accompanying paper entitled Petition To Correct Inventorship Under 37 C.F.R. §1.48(a), and hereby declare that all statements made therein of our own knowledge are true and that all statements made on information and belief are believed to be true.

2. That through an inadvertent error, without deceptive intent, the above-identified application mistakenly named only Axel Ullrich ("Ullrich") and Werner Risau ("Risau") as inventors, and that Birgit Millauer ("Millauer") who made inventive contributions should also have been named as a co-

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. TB389 221 987US

Date of Deposit May 27, 1993

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

FRANK DIANGELIS

(Type or print name of person mailing paper or fee)

(Signature of person mailing paper or fee)

PENY-152027.1

inventor. In the following paragraphs 3 to 8, we explain when the error was discovered and how we believe the error occurred.

3. We instructed our attorneys to file the above-identified application on or before November 13, 1992. To meet this deadline, our attorneys explained that the Patent Laws permit the filing of an unsigned application which could be supplemented with declarations signed by the inventors at a later date.

4. Through some miscommunication with our attorneys, the application was filed naming only two of the three true inventors, i.e., Ullrich and Risau.

5. We understand that before filing the applications, our attorneys attempted to contact us to obtain information concerning inventorship which was required for filing the application. However, we were traveling at the time and were not reachable.

6. Subsequent to filing the application, our attorneys contacted Ullrich, and requested information concerning the inventors necessary to prepare a Supplemental Declaration for our execution and filing in the Patent Office. At that time, we learned that Millauer had been omitted as a co-inventor when the unsigned application was filed. Accordingly, we advised our attorney of Millauer's contribution to the invention and it was concluded that Millauer should have been named as a co-inventor.

7. We, the originally named co-inventors, agree that Millauer made inventive contributions, and as we

understand it, is a true co-inventor of subject matter described and claimed in the application.

8. Because Millauer was not named when the application was filed, we understand that our attorneys are taking steps to correct the inadvertent error and add Millauer as a co-inventor.

9. We declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-named application or any patent issuing thereon.

Dated: 5/17/93

Axel Ullrich
Axel Ullrich

Dated: May 13th, 1993

Werner Risau
Werner Risau

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Ullrich, A. et al.

Serial No.: 07/975,750

Group Art Unit:

Filed: November 13, 1992

Examiner:

For: Flk-1 IS A RECEPTOR FOR
VASCULAR ENDOTHELIAL
GROWTH FACTOR

Attorney Docket No.: 7683-009

CONSENT BY ASSIGNEE TO CORRECTION
OF INVENTORSHIP UNDER 37 C.F.R. §1.48

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Max-Planck Gesellschaft Zur Förderung der
Wissenschaften e.v., having an address at Bunsenstrasse 10, D-
3400 Gottingen, Germany, as assignee of the entire, right,
title and interest into and under the invention and U.S.
patent application Serial No. 07/975,750, filed November 13,
1992, entitled "Flk-1 IS A RECEPTOR FOR VASCULAR ENDOTHELIAL
GROWTH FACTOR," hereby consents to amendment of Application
Serial No. 07/975,750 to add Birgit Millauer as a co-inventor
along with the other co-inventors, Axel Ullrich and
Werner Risau. To the best of assignee's knowledge and belief,
title is in the assignee seeking to take action in matter
pending before the Patent and Trademark Office and that the
assignee is thus empowered to prosecute the pending
application.

MAX-PLANCK GESELLSCHAFT ZUR
FÖRDERUNG DER WISSENSCHAFTEN e.v.

Dated: 11. Mai 1993By: Dr. Heinrich Kuhn

Dr. Heinrich Kuhn
Head, Patent Department